

COMPLAINT INVESTIGATION SUMMARY

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| COMPLAINT NUMBER: | 2076.04 |
| COMPLAINT INVESTIGATOR: | Jennifer Campbell |
| DATE OF COMPLAINT: | December 3, 2003 |
| DATE OF REPORT: | December 15, 2003 |
| REQUEST FOR RECONSIDERATION: | no |
| DATE OF CLOSURE: | March 5, 2004 |

COMPLAINT ISSUES:

Whether the South Bend Community School Corporation violated:

511 IAC 7-25-4 by failing to conduct an initial evaluation and convene the case conference committee (CCC) meeting within sixty instructional days of the date written parental consent is received by certified personnel.

FINDINGS OF FACT:

1. The Student is eleven years old and was evaluated for eligibility of special education services on December 3, 2003.
2. The Complainant submitted the Student's name for psychological testing on September 5, 2003. A case conference for the Student is scheduled for December 15, 2003. The Supervisor of Psychological Services acknowledges that the CCC meeting is scheduled eight instructional days beyond the time line.

CONCLUSIONS:

1. Finding of Fact #2 indicates that the School did not test the Student within sixty instructional days after the Complainant placed the evaluation request. Therefore, a violation of 511 IAC 7-25-4 is found.

The Department of Education, Division of Exceptional Learners requires corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

1. If the Student is found eligible for special education and related services and compensatory services for the eight days were not discussed at the December 15, 2003, CCC meeting, then the CCC will reconvene to discuss a make up schedule. Submit to the Division no later than January 23, 2004, a copy of the IEP and case conference notes. And, send a written memorandum describing the requirements of 511 IAC 7-25-4 no later than January 23, 2004, to the following personnel: the school principals, the twelve full time and three part-time psychologists, the three school psychologist interns, and the four full time diagnosticians. Submit to the Division no later than January 30, 2004, a copy of the memorandum and the names of personnel who received it.